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POLITICAL SKETCHES,

INSCRIBED TO 94 K

HIS EXCELLENCY

JOHN ADAMS,

MINISTER PLENIPOTENTIARY FROM THE UNITED  
STATES TO THE COURT OF GREAT BRITAIN.

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BY A CITIZEN OF THE UNITED STATES.

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*"Nullius addictus jurare in verba majistri."*

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L O N D O N:

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MDCC LXXXVII.

POLITICAL SKETCHES

JOHN ADAMS





TO HIS EXCELLENCY

**J O H N A D A M S,**

MINISTER PLENIPOTENTIARY FROM THE UNITED  
STATES, TO THE COURT OF GREAT BRITAIN.

S I R,

FROM the moment in which I made the governments of my country the subject of my study, they have been the object of my admiration. Excepting the vein of popularity that pervades them, and which evidently hath weakened the executive arm, perhaps they are perfect.

Some objections, derived from false theories, are made to them.—These I have attempted to remove.

It hath been urged, that Democratic forms required a tone of manners unattainable and unpreservable in a society where commerce, luxury, and the arts, have disposed the public mind to the gratifications of refinement.

## DEDICATION.

This proposition is difficultly opposed. To dislodge it, it will be necessary to take a new ground, and a new scene of detail, for the antiquity of the idea hath given it a prescription superior to every thing but arguments drawn from a novel series of political events.

That the governments of the United States would resolve into Aristocracies, is a position which I have attempted to oppose.

The extent of territory is another objection made by such as theorise on the American Democracies.

The contemplation of these points produced the following sheets, which were written in 1784 and 1785, immediately after the publication of "Abbè Mably's Remarks." However humble their execution, the honesty of the zeal by which they were dictated intitles them in some degree to the indulgence of a patriotic mind. Under this impression, and conscious that my country would feel gratify'd by every tribute of respect,

DEDICATION.

spect, however small, that shall be offered to you, I have taken the liberty of inscribing these Inquiries to your Excellency.

I have the honor to be,

With the greatest deference,

S I R,

Your most obedient

And most humble servant,

A Citizen of the United States.

Middle Temple,  
April 1787.

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## POLITICAL SKETCHES, &c.

### I.

#### A B B E' M A B L Y.

**T**HE Governments of America have deservedly attracted the attention of all speculative minds. It is an object of some importance to the cause of liberty all over the world, that they should be understood. They present the most finished political forms. On their practicability, and on the justness with which they may have been adjusted to the purposes of society, depends the problem, whether under every co-operation of moral, political, and physical causes, a government can be formed, unexceptionably free in form, and yet in its administration durable and efficient.

The subject is highly interesting, and deserves a philosophical survey of the opinions, theories, and situations, which the contemplation will involve.

Among the philosophers who have written upon this subject, is the Abbè Mably; a man no less distinguished by the liberality of his principles, than by the acuteness of his investigations. But even his mind, enlightened as it was by science, and fostered by philosophy, was not equal to a just discernment of the governments on which he favoured the world with *Remarks*. The splendor of his classical and historical acquirements, but poorly compensates the mischiefs of their application. While it dazzled, it could not conduct him; and he will be found, on an examination of his *Remarks*, to have wandered through scenes of fancy'd similarity, unguided by that unerring principle of history, which leads with scientific certainty, from effects to causes, through the medium of authenticated facts.

He is learned, philosophical, and eloquent. His views of the political horizon are commanding:

manding: but learning, like blood, may increase the fever of mistake, philosophy contemplate through a false medium, and eloquence lead to a victory of error. In his reasoning he has adopted a rule that will account for his mistakes. He compares certain events in history, and certain institutions of the ancients, with the events of the American Revolution, her laws and governments. To appear learned, he seems almost willing to be deceived. A man possessed of local information, from his education in the very scenes he would contemplate, is, though inferior in point of intellect and mental endowment, better qualify'd, perhaps, for a task which demands less the labours of erudition, than the accuracy of observation.

It was with a deference due to the name of Mably, that I perused his Remarks. But having seen the wild errors of other great men who have amused America with her own character and fortunes, it was with less disappointment that I read the erroneous conclusions, and fanciful conjectures, of the elegant author of the Dialogues.



To detect, as well as to applaud, is the mingled office of Criticism. Of all the duties of taste, this is the least enviable. In the natural world, a transition from beauty to ugliness is a painful operation to the feelings; but it is infinitely more irksome in speculative contemplations, where the imagination, unassisted by the senses, has to work in the violence of extremes, and the judgment has to combat that delusion which the tissue of Truth and Sophistry forms in the etchings of the mental picture.

Abbè Mably is a Frenchman and a Scholar. As the first, he has been educated after the strictest manner of a free monarchy. As the last, the genius of antiquity, with which his mind was inspired, hath served but to mislead him. As a Frenchman, he can have had but little idea of the effect of a free constitution, in a country governed by laws and habits different from those which characterise his own. If he ventures on a conclusion concerning the operation of a law in the United States, it must be by ascertaining, through reasonable inferences, the effect the same law would produce in his own, or  
any



any country in Europe with which he is acquainted. As a scholar, if he would fix the success of a rule of politics, or law, he can find no guide but that fancy'd analogy which the ancient Republics afford him. In the first part of his process, the supposition would involve so wild a contrariety of manners, usages, ranks, and political forms, that no inference could possibly be drawn. In the last, the picture of ancient governments, except in a zeal for freedom, could furnish but a slight resemblance to the American Democracies. Those were composed of heterogeneous parts and principles, and resembled the American Governments in little more than in name. That sort of representation which is the very basis of these, was unknown to them. Those were of a mixed, a military, and of an aristocratic, sometimes regal nature. These are in their principles, structure, and whole mass, purely and unalterably Democratic. They could not be any other ; they cannot be any other.

Never was there, before the American Revolution, an instance of a nation forming its own government, on the original foundations

of human rights, revealed by a study of the laws of nature; and creating every civil organ, agreeably to the three acts which constitute just Government. Never did there exist such a scene as that on which the Revolution took place in America, where the people, by their own act, without any usurpation or turn of parties, on a sudden, found themselves in a state of the most civilized and complicated associations, without Government; and in that state formed the original convention, on grounds of undisputed equality; framed a form of Civil Government, founded in the rights of nature, unobscured by charters, privileges, or monopolies of power; and then bound themselves by the third and last tie of Allegiance. The Democratic form was the only one a people so situated could adopt.

Other governments have been fashioned on the inequalities which accident introduced into human relations, and which force and ambition have most whimsically diversify'd. Their origin hath been laid in the more than *Cimmerian darkness* of antiquity; and the rights of society, which govern-

government is meant to promote, to display, and to secure, have invariably been ascertained subsequently to the æra, that by various habits and institutions, hath involved them in inextricable confusion.

Of this unhappy origin were the ancient governments. This might easily be ascertained to any one unblinded by an early imbibed admiration of what are deemed models of virtue and political wisdom, but which, when dispassionately view'd, will be found to have been like the governments of Europe, systems of expedience, daily harmonizing from that discordant chaos in which they were conceived, but which still fatally retain many miserable features and vestiges of inauspicious birth.

From the progress of political opinions in England, which a spirit of inquiry, notwithstanding the tendencies of monarchy, had diffused, America felt herself countenanced in that freedom of reasoning which the contemplation of her colonial governments, and the great examples of her parent, naturally inspired. But however she may



have been affected by the general diffusion of this knowledge, she owed her exertions of reasoning less to example, than to her temper, situation, and political relations. To these was she indebted for that just and bold spirit of thinking on the great points of Government and of Religion, which she could not have borrow'd from ancient story, or imitated from any living model. From them her state was different; and where little or no analogy could be found, she could owe little to sympathy or adoption.

The example of ancient Democracies furnished to her a very confused lesson; and though their pictures are rendered highly endearing to classic minds, it would have been dangerous to have trusted the fate of new governments, to an imitation of republics, the structures of which presented an arrangement different from such as she could adopt: for in them she saw the efforts of enthusiasm, glorious but inconstant in its operations, rather than the vigour of well toned constitutions. From such precedents America could derive little more than the contagion of enthusiasm. From antiquity then she could gain little.

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She was too proud of the pure sources to which she was indebted for her prosperity, to stoop to an imitation of modern governments, which were founded in the anarchy of a barbarous age. These she beheld trembling under the infirmities of a vicious old age; involved in the contradictions of civil and religious solecisms; and weakened by the corruptions natural to human institutions, when not inspired by that renovating spirit, which first principles, when recurred to, are capable of infusing.

In point of civil and religious happiness, England stood alone. From her only could America imbibe that spirit of freedom which she inherited.

A coincidence of events, as rare as they were happy, enabled America to complete that lesson which she so gloriously has exhibited to the world. When she was settled by colonies, she was invested with the democratic parts of the English constitution; and though she acknowledged a sovereignty in the Kings of England, the rays of royalty but feebly reached their western point, and com-

communicated, in the rougher stages of the society, that genial warmth which nourished, but could not wither the tree of freedom. Little of the personal idea of King, ever obtained in the western world. The Aristocratic branch of the English constitution, in its true character, was there unknown; and did not therefore communicate its impressions on her legislative forms, or the genius of the society. But notwithstanding she was unacquainted with Nobles and with Kings, she reaped in her humble career of agriculture, every solid advantage which flow'd from her political inheritance, without suffering those evils which that part of the parental constitution, which she did not possess, was designed to prevent. She tasted largely of political freedom. What never can be enjoy'd in England, she possessed: the freedom of Democracy, without its anarchy.

Reared under a fortune so propitious to liberty, her laws, her religions partook of the proportions and liberality of her governments. On the one hand protected against the dangers of licentiousness, and endow'd on the other with the gifts of genuine freedom,

dom, her character became fashioned to that shape, which had often been imagined, but never seen, where the rights of national manhood were not impaired, by the intemperance and accidents that fill up the long dark childhood of the species.

Governments have received their bias and characteristic weaknesses, in the early stages of the species. In these days of barbarous ignorance, the rights of society were little understood; and the indefinite powers of the collective capacity, were thrown into action by the violence of exigency and expedience, rather than by the energies of regular system. Their imperfections flow'd from errors that could hardly be avoided. These, as fast as they have revealed themselves, may have been partially corrected. As wants increased by the expansion of the character, improvements have advanced; but yet many centuries of sufferings have not every where been able to divest rights, and the active springs of government, of those unintelligible forms in which distant causes clothed them.



Politicians whose minds could at all "look into the seeds of time," and whose hearts were liberal enough to anticipate those blessings of their colonial descendants, which the severity of ruder times deny'd to themselves, the glorious æra of the American Revolution could not have been a chimerical vision. And if a theatre for the display of the great Drama of the human character was ever fondly formed in the brain of a Locke, or a Sydney, the United States at this moment, and in that indeed preceding their Revolution, realized the philosophical expectation. So nearly have they approached perfection, that the great and unexceptionable correctness and purity of their Democracies, are the only objections raised against their practicability and duration. But in the objection, a number of false premises are assumed; premises which the history of mankind will by no means warrant; which the indolence of some, and the depravity of others, have admitted for purposes of speculative argument.

Their great positions, by which objections to the Democratic form are maintained,

flow



flow from the consequences of the human character, acting in political situations unfriendly to its nature, rather than from causes inherent in that particular form of Government itself.

“ The multitude in the United States” says Abbè Mably, “ will prove much less presuming, much less imperious, and consequently much less inconstant than in Roman Republic:” but not because the extent of dominion prevents the assemblings of the people at one time. They will be less inconstant than the Romans, because they have been educated under laws that have at once regulated the manners, and cherished that passion for equality, which knows no restraint, but such as laws, made by their own consent, have given it. And because a change in the prevailing passion of the age has given a milder cast to their other passions, and the occasions are removed from which the presumption and clamour of the Roman people received their fuel. Faction, which in Rome was ever written in bloody inscriptions, is unknown: it is unknown, because

because the American democracies are governments of laws and not of parties.

Comparison on this occasion must do great injustice to a subject, which is only to be try'd on original principles.

The Abbè has said, that the situation of America, immediately after the declaration of independence, was similar to that of Rome, immediately after the expulsion of the Tarquins. There is not a trace of resemblance. All persons of taste would pity the man who could read the origin of the Roman republic without admiration. Simplicity of manners, and boldness of action, afford a most engaging picture, and deeply interest in the early stages of its history. But the freedom enjoy'd was that of a tribe of Germans, as described by Tacitus. Constitutional liberty seems to have been as little understood, as it would have been enjoy'd, had they adopted a system superior to their manners and comprehensions.

Until the expulsion of the Tarquins, the government was a monarchy, frequently

quently confused by the intervention of democratic fury. By various changes, suggested by such interventions, additional privileges were granted or assumed by the order of patricians, which superceded the grand question of policy, whether property, or numbers, should rule the state. With this bias already active, it is not surprising that an aristocracy succeeded the expulsion of Tarquin. The distinction of ranks created in the infancy of the state, now rose in the most invidious shapes. The Plebeians were excluded from a participation in the government. Hence those jealousies and animosities that naturally sprang from ambition on the one side, and on the other, from hereditary honors, and an impatience of competition.

It is impossible to know the state of affairs in America, at the period which is compared by the learned Abbè, to that of the suppression of the Roman monarchy, and find the slightest line of similitude in their causes, or in their consequences. This struggle was the contention of tyrants. That in America was of a whole nation oppressed, against



against its oppressors, and a general freedom was the object. There was between the two countries a civil, juridical, commercial, moral and religious, as well as a political difference. Hence it is demonstrable, that the circumstances of the two people differed widely. In Rome an aristocracy possessed all the dignities, offices, and emoluments of state. The Plebeians, which class included all under the rank of nobles, were excluded from all share in the government; nor could the body of citizens claim a title to govern, who possessed few rights either of property or person. The relation of the two orders was that of client and patron. And if we attend to the succeeding struggles, which were made to gain landed property by the Plebeians, and the opposition of the Patricians, who seemed possessed of the right of disposal, we may conclude, that of the small territory then possessed by the republic, none was in the hands of the Plebeians; and that they were indeed, agreeably to the ideas of their patrons, deemed incapable of taking by descent or purchase.

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The imperfection of their laws shews the small progress legislation had made; for at that period, the twelve tables were not compiled.

The imperfection of their jurisprudence shows how lame their notions were of the forms of all civil government. Their magistrates were not appointed to trusts, whose extents were known or distinguished by any fixed character.

The consul, who was supposed to substitute as much of the regal character as was deemed necessary by the aristocracy, was at once general of the army, judge and magistrate.

The want of energy in the powers of their government, obliged the senate—the people had nothing to do in this important transaction—to vest a sovereign power in a dictator, whose sole limits consisted in nothing but in the term of his official duration. By throwing the sovereignty into the hands of any man whom the senate, or aristocracy should appoint, all right to a share in the

government, was deny'd the people. If the senate alone had a right, by their constitution, to resign to any delegation the sovereignty, for six months, their right which had not been recognized, and therefore not limited, or defined by their institution, might have given a longer duration to the dictatorship. And if a complete divestiture of the government took place for one hour, it might for ever.

The separate interests of nobles and of people, which were irrevocably fixed by the institution of military tribunes, formed one of the most accountable causes that can now be assigned for the frequent revolutions in the Roman republic.

From these evidences, drawn from the Roman History, we may conclude, that the government immediately after Tarquin's expulsion, was a tyrannical aristocracy. It was frequently in a state of total dissolution, and held together by nothing but that vital spark of common danger which obliged opposite and hostile factions, for a moment to unite for purposes of common safety.



But what was the state of America at the period of the revolution? Without Patricians, patronage, or personal attachments: a society conducted by one and the same principle; a common danger and a common benefit; an universal struggle for an universal right; the appeal of an entire nation of free citizens, from the lawless abuses of delegated power, to the rights of nature; not an exchange of the tyranny of the one, for the oppression of the many: no temporary resignation of the common sovereignty into the hands of one or more; but equal vigilance, equal sovereignty; one united struggle of all for the freedom and independence of all. Can such a picture of liberty and display of rational exertion, be drawn into analogy with a revolution, at a period when neither liberty nor reason were understood.

The Abbè appears to have possessed a knowledge of human nature too great for detail; and in the following doubt, for such it is, seems to have been considerably confused in his ideas of America, in her colonial relations and situation. “ Have ye, says he, “ taken care, in the formation of your new

“ laws, to render them properly commensurate with the understanding of the multitude?” Even antecedently to the revolution, there was neither complaint, nor cause for complaint of legislative commensuration. The colonies had adopted as much of the British laws as apply'd to their peculiar situation. The acts of their own legislature arose from the very bed of public occasion ; were general in their operation, popular because useful, and repealed if found useless, or inconvenient. They were made by the people in their represented capacity. Hence arose a conformity to public opinions, and the understandings of the people, with which they were consequently as commensurate as was possible among a variety of genius, the colours of which were as infinitely shaded between the extremes of ignorance, and of science, as the fortunes of individuals were low or splendid.

To the above observations it may not be impertinent to touch on a doubt of the Abbè, as to the public opinion at the time of the commencement of the revolution.

The transition from the situation in which America stood before the revolution, and that wherein success placed her, was neither rapid nor abrupt. The minds of men were not unprepared for its reception. Discoveries of ambition and usurpation had already alarmed her suspicions, and carried her enquiries into the very source of her rights. Besides these investigations, the forms of government continually presented a system of constitutional liberty that enabled the mind to ascend with ease to first principles. The political state in which she existed, was that of freedom. It was a government of laws enacted by the people governed. The encroachment which threatened this inestimable state was that from which she revolted; and independence was the dernier resort that held forth the instrument by which it might be impregably secured.

The change in the exercise of the sovereignty was not, in America, one of those events which strikes the public eye in the subversions of laws which have usually attended the revolutions of governments. No revolution took place among factions,



for none existed. No order of men or corporate bodies were dissolved, or left to canker, where they could not openly assert. The clergy, in some states, were left unprovided: but this order of men were placed on that liberal level, which, by excluding hierarchal ambition, promises harmony to religious opinions, and christian humility of life. The change was not from a state of slavery to that of licentious liberty. No violence was done to those institutions which education had sanctified. No prepossession was dissolved that had not been maintained conditionally. The private friendships of those who stood the issue of the day received, it is true, a partial suspension, in this, as in European wars. Individuals of different nations may feel, in their private friendships, the pleasures of universal denizenship; but nations, in their aggregate capacity, can never be sensible of the glow of mutual friendship. Their affections are represented but in the forms of treaties.

It will not appear temerity to assert, that had the learned remarker been acquainted with these truths, he would not have been  
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led to doubt the concordance of public opinions with the revolution.

“ I cannot,” says he, “ too often repeat, “ that in proportion as the manners relax, “ the laws, together with the power of “ carrying them into execution, should “ operate with stricter force, and the affairs “ of government be intrusted to fewer “ hands.” This remark, though full of sophistry, is dangerous, because it flatters that predilection to aristocratical usurpation attendant on ambitious minds. It goes to this hackney’d assertion—that what is usually understood by the term virtue, as fancifully display’d by Montesquieu, is the root of democracy—that relaxation of manners wounds this root; and that in the progress of luxury, the advances of aristocracy are evidenced—nay, it invites them.

To one tolerably acquainted with the history of society in its less polished periods, it must be somewhat distressing to view the force which the opinion has obtained, that honesty and barbarism are concomitants. By a veneration equally unjust and unaccountable, men

look back on the days of antiquity, as the æras of those virtues that have been fondly, but unjustly, lavished under the poetical imagery of a golden age.

Fortunately for the cause of truth and freedom, the science of ethics proves the cultivation of the mind to have preceded the refinement of the passions.

If the intemperate and contracted virtues of a barbarous age are expanded by the progress of civilization into address and dissimulation, into feebleness of mind, and effeminacy of manners; are they not more than compensated in the dominion of sentiment, in the lustre of the understanding, and in the multiplication of social relations? If little security hath been found to result from the boasted virtues of those ages, to any forms of government, shall we be so blinded by prejudice, as to despair of permanent establishments, whose foundations are not indebted to accident for their creation, nor to chance for improvement, but the basis of which was laid by the perfection of human reason. They have already sufficiently endured to  
destroy



destroy the fallacious predictions of system-mongers, and their continuance can fail but in the extinction of that rational spirit which animates their democratic forms.

destroy the false principles of  
 and let no circumstance can be  
 in the exhibition of the national spirit which  
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## V I R T U E.

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SPECULATIVE men have thought that there is a peculiar disposition of the public mind essential to the animation of the Democratic form. The learned and philosophical Montesquieu hath imagined this principle, and called it Virtue. The supposed incompatibility of this principle with a state of luxurious Society, has been triumphantly urged against the American governments, which are in a state of refinement and opulence. Arguments derived from the falsely imagined character of antiquity, are brought against the existence of the principle of Virtue in an age of relaxation. The progress of the character of the species, undefended by happy government, is formed into

into an argument against the display of its powers; for the declension of empire, and of free States, has been drawn in a parallel with the extinction of that simplicity which accompanies the ruder age, and which vanishes as the dawn of luxury arises.

In order to demonstrate the fallacy of an opinion, too blindly acquiesced in, it will, on this part of my subject, be necessary to descend somewhat into the minuteness of detail.

If virtue be incompatible with luxury and refinement, nature and the human character are at variance with philosophy. If it be exclusively the principle of the Democratic Forms, they must be the greatest of all political and civil *desiderata*. Human nature hath been supposed either incapable of attaining this principle, or that it is forced to relinquish it, in a certain point of that progression, to which its character naturally accelerates. If this principle is the substitute of perfection in the form, and of a just and self-operating vigour of the laws and all the parts of the government,



ment, then this principle is either possessed by all, or it is useless; at least not more necessary to a form, thus properly animated, than it is to other forms.

The truth is, Montesquieu had never study'd a free Democracy. The governments from which he borrow'd the lights of freedom, were such as from their forms might be called Democratic Republics, as the people had a voice, but such were subject as to all the inaccuracies of undefined constitutions, which were constructed in days of ignorance, and matured, as far as their first impressions would permit, by the improvements of experience. But in no part of the Grecian or Roman world can a government be defined that acted on this chimerical principle. There are many illustrious, but singular instances, in which men preferred the good of their country to self-interest; but in all governments that were ever created, the various operations of the whole society, from causes that exist in its first principles, must have proceeded on the working of the heart, and the various motives of action.

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Particular situations certainly affect, and in some measure shape, the human character; but in no situation can it be altered. It must be study'd; and when its principles of action and motions are discovered to be eternally the same; when its rights, and the great objects of its happiness, are, by the maturity of its faculties, fully illustrated, government should then be framed so as to give its unerring principles fair play, and guard only against injustice. If it be formed on the great fundamental principles of nature and truth, the principles on which it is founded will always maintain the structure, as they are immutable. These first principles will always give effect, as in fact they in themselves form the government; and as it is but their emanation, they will for ever give it the vital heat and power of efficient action.

Virtue, in Montesquieu's acceptation, is the principle or "sensation" that substitutes the want of good laws, gives energy to those which exist, and, in fine, remedies all those defects which he hath imputed to Democracies. But where no such defects exist, as those  
 against

against which this principle is to operate, it will follow, that it is not peculiarly requisite to Democratical forms, constituted by a rational principle.

Human nature in the glorious exercise of its own powers, under governments chosen as the object of great deliberation, and under a perfect conception of its inestimable rights and faculties, and chusing one, founded in the moral necessity of its character, will take care of itself. It requires not the aid of an hot-bed; its subsistence springs from the plain and natural developement of its genius, and to be happy, it demands nothing but the enjoyment of itself.

As well might it be said that honesty is a peculiarly essential principle of any one form of government, and that morality is incident to particular climates, as that Virtue is the peculiar principle on which the structure of Democracy rests. As none of the ancient governments were framed on the fundamental rights of society, but like modern forms were patched, or dilated, as chance and expedience directed, it is impossible to say they



they were models ; or that, even admitting this visionary principle, governments framed on different views of society should require the same principle for their organization.

Much is certainly due to the memory of these departed forms. They were animated by bold spirits, that deserved better fates. They tended to generate the love of freedom ; but they have contributed little towards the discovery of, or reasoning on, the elements of civil and political liberty, or the enlargement of the science of modern politics. Removed to a venerable period of antiquity, the moderns view their structures as heights to which what is called modern degeneracy dare not aspire, but which will be found, as truth and nature unfold to the eye of reason, to be the phantasmas of scientific superstition, and misplaced admiration.

When we consider the fate of the ancient democracies and republics, we are but too apt to flatter the ambition of tyrants, by debasing the character, rather than appreciating the unhappy fortunes of human nature. The scenes in which she hath been view'd have  
ever

ever been such as were opposed to her genius, hostile to the display of her character, and may therefore be called unnatural. It may be fair to call that the natural state in which, by the natural agency of his functions, unclogged by civil impediments, man becomes surrounded by the beneficial productions of his own genius. In his progress from rudeness to refinement, the noblest truths are unfolded by the improvement of his reason, his rights are ascertained, and the virtues of his heart become meliorated and multiply'd. Thus the scheme of nature will be accomplished by the operation of her own powers; and her design will be finished by the full display of those endowments with which the favorite of creation is adorned.

In that state of society where the passions are pointed at the moral relations of the individual, and where the talents are exercised in that field of industry and emulation, whose fruits are under the protection of good laws, the wise predisposition of nature will be found most completely effectuated.

Nothing

Nothing can be more bewildering than the idea of Montesquieu, that there are three distinct principles of conduct peculiar to the three forms of government. The enthusiasm which animated the ancient forms, has led to the idea of superior virtue. In this age less is to be attributed to passion than to reason.

To investigate the necessity of this principle, supposed peculiar to democracy, it may be premised, that government is a positive good, and not the selection of the least from a variety of evils. It is a state of action, and rule of civil conduct, under which men naturally and necessarily fall. That government must be best which is framed on the views of nature, and which elicits the progress and accomplishment of the human character. If a government be in itself well formed and adapted, as the constitutions of America, to the rights of mankind; if the society on whom it acts be in such a state of rational conception of those things in which their rights and interests consist, as makes the civil form naturally to arise from the order of their existing relations; and, if there be a  
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fitness between national impressions and the civil form, and this form really be such as secures the happiness of society, it would not be hardness to assert, that a greater share of virtue is not necessary to a democratic, than to a monarchical form. The United States were such societies. The American Democracies are such governments.

Government has in most cases done too much. Its regimen has been prescribed under the empirical idea, that every addition of restraint, was a departure from natural liberty.

The office of government is to protect. The majorities of all societies act as if they were not governed. There is in the human heart, a principle of rectitude, that acts independently of civil regulation. The same sympathies which knit the first bands of society, and formed man a social being, attend his moral character through all its progressive stages, and as they existed without compact, or choice, so they continue to operate without the intervention of a municipal monitor.

The

The great misfortune of the species has arisen from the political maladies under which it hath generally labored; and notwithstanding individual happiness may have been its lot in a degree, yet this hath rather been owing to the contentment that resulted from an ignorance of what was better, than from the enjoyment of those rights which might have enabled it to pursue what was best.

Where, but in America, existed a government, under which the character of the species, as well as of the individual, advanced in its progress, in the possession of civil, political, and religious freedom? Had human nature ever existed in such a situation, Montesquieu would not have imagined that virtue—the enthusiasm of a simple age uncultivated and rude, was essential to that very form, which of all others is best adapted to the plenitude of human felicity.

If such a principle did ever exist, it ought to be defined. If the fervor of the heart, inspired by particular situations, and display'd for public good, be worthy the name of principle, and such principle be said to be so

essential to a democracy, as to be a *sine qua non* of that government; and if it be of so delicate a nature, as to suffer extinction by the prevalence of those luxurious habits to which all rational improvements lead, it certainly is a principle of too whimsical a nature to be rely'd on.

Admitting that this offspring of a happy instinct, moved the springs of governments, the only relics of which have been preserved by historians long bury'd in the dust of those very forms which they have immortalized; and that there have been certain great characteristics of human nature, bury'd in the same oblivion which hath deprived us of the murex dye, at once essential to its happiest state, and too precarious for cultivation; and which no force of mind or of fortune could ever regain, still there remain to modern days, resources of political happiness superior to this principle.—As much superior to it, as pure religion, fixed on the immutable basis of morals, is to vague superstitions.—As much as clear conclusive deductions of the judgment, are superior to the violent and irregular movements of the heart;—or a clear sense of civil freedom



dom to an attachment to ill understood privileges.

It could have been at most, a certain union of reason and passion, which all might possess under similar circumstances. It must have resulted from a combination of motives to which all human hearts might be subject. To what virtues in particular was it ally'd? Or did it act independently of that train of the affections which the several social relations, when known, naturally inspire? It was a rule of political conduct. Political rules result from those relative duties which compose morals. Under what moral law in particular was this principle regulated? Some obligation must have been its measure of action. What state of society was most favourable to it? The state of society is nothing more than that aspect which the operations of certain powers of the understanding and passions, give through the medium of human conduct. If we fix the stage of society to which it is best adapted, we might better analyze it. It cannot be analyzed by any of that metaphysical deduction, by which we ascertain the nature and operation of other

known powers of intellect, or of temper. It is imagined to have been visible, like the spirit of prophecy, in certain ages, and to have accompany'd certain human institutions, in those æras of their simplicity, when enthusiasm had not found a happy substitution in the energy of true freedom, and in a just sense of civil liberty.

But this fervor ceased in those countries most celebrated for it, when that luxury advanced to which its extinction is attributed. “*Nuper divitiæ avaritiâ et abundantis voluptatis desiderium, per luxum atque libidinem pereundi, perdendique omnia invidere,*” says Livy. It was natural that luxury, which softens the manners, should dissipate a principle, if enthusiasm deserves the name of principle, which was the offspring of a rugged impracticability of character, and not the result of those reflections that fix the affections in the footsteps of reason:—I mean a thorough comprehension of the rights of society, not understood two hundred years since.

Supposing such principle to have existed, and to have been destroy'd by relaxation of manners, when it was destroy'd, no substitute was left to the bosom of society, that could support its rights. A sense of civil liberty was no where to be found. The forms of government, and the faculties of society which had been previously cultivated, had left such impressions as forbid the emancipation of the social character, and invited the strides of a more desperate ambition.

On the force of this principle, Montesquieu has made much use of Sparta. In speaking his lessons of political despair, and his romance of principles to the world, this philosopher says, that " They who would  
 " attempt the like institutions, must establish  
 " the community of goods, as prescribed in  
 " Plato's Republic; that separation from  
 " strangers, for the preservation of morals;  
 " and an extensive commerce carried on by  
 " the state, and not by private citizens.—  
 " They must give out arts, without our  
 " luxuries, and our wants, without our de-  
 " fires." I defy any man to comprehend



that last injunction. "Money"—he goes on—"must be proscribed; it swells people's fortunes beyond the bounds proscribed by nature." What is it that this great man could not say, when he ventures to talk thus? Is it that he takes nature to mean a state of rudeness; or does he affix to human powers, certain bounds beyond which it is unnatural for them to pass? Did he recollect that Sparta formed her citizens for the hardships of a military life; and that the human character was not destined for war only?

The force of contagion might assist in supporting a martial spirit, which disdained all things but its own peculiar honors, and those of public glory in victory. Under this influence, the mind would acquire a certain character in sympathy with the public, and with the predominant, passion. Where the examples of hardihood were hourly presented, and the more refined gratifications, as in Sparta, were discouraged and forbidden; it might not be a very difficult task, in a single city, to retard the more natural movement

ment of the passions, and embarrass the progress of the citizen in his social pursuits.

The love of poverty, established as the foundation of the sublime of Spartan government, could operate but in very small societies of men. Such institutions are founded in those paroxysms of human character, which a peculiar destiny must have inspired. The crisis of their attainment, must have been the moment of their declension; since there would certainly be wanting in the breast, the source and appeal of all laws, some motive and principle equal to such singular conduct. Where the possibility of excess is precluded, the virtues must lie contracted. The mind is not formed for repose. Like mercury to be fixed, its principles must be destroy'd. It could no more exist under the counteraction of such rigid principles, like those of Sparta, than it could fix its powers of thinking, or alter the whole intellectual œconomy. It must burst from such confinement, and it would seek either the gratifications of its predominant passion, in the barbarism of arms, or pursue

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pursue its progressive attainments, in the pleasures of the sciences.

The character of the species is progressive. Whatever tends to make it stationary, is contrary to the laws of its nature. That inequality of fortunes should result from opulence is perfectly natural: nor can it be wished, but by a visionary mind, that any civil or political institution should be devised, were it possible, that would equalize the conditions of men, and force them into that level which hath chimerically been deemed the surest foundation of democracy. To do this, the mental œconomy of nature must be changed; and it would be necessary to root from the heart, the comparative inequalities of the passions; and from the brain, the inequalities of genius which give one man a superiority over another. No such institutions can, nor ought to be attempted, to be framed. In all things nature, and the road she designates, are to be follow'd.

That governments, framed on rigid ideas of equalities, like that of Sparta, have failed, i because they were formed in opposition to n-

ture ; and rather attempted to force the human character into distorted shapes, than to give it that easy play and exercise, in which alone its developement and vigor will be found to consist. The study of the human genius will teach us, that man is not destined by nature for the exclusive agency of any one faculty, or passion. Various in the exertions of his talents and his passions, as his situations are diversified, we see he can assume, with equal ease, the duties and capacities of the father, or the son, of the artist, the merchant, or the legislator.

Were the character of the species, like that of the horse, stationary and limited both in the desires by which it is actuated, the talents by which it is adorned in its progression, and the attainments beyond which no auspices of situation could invite it ; then those laws which attempt to fix its exertions, — in weakening the springs of its industry and activity, might be more reasonable. The laws of Lycurgus would not then appear the iron bed of Procrustes, and the institution of the humble

Dunkers



Dunkers \*, would strike us as less visionary. But when experience in the attributes of human nature teaches us, that, by the natural movement of his passions, and from the necessary exercise of his faculties, man assumes new aspects, and gives that society which he forms new views accommodated to his degree of cultivation, we must infer from this operation of the immutable laws of nature, that his advancement is a part of his destiny, and that he is to be protected in the possession of those rights which he gains under the moral necessity of his character. If luxury, in a correspondent stage of his improvement, be as natural to him as that rudeness or simplicity, supposed concomitant with virtue from which he emerges, his deportment as a civil being may be as much under the guidance of his reason in this, as it was in a less advanced state. His principle of character will be the same. He cannot alter his nature ;—he can only cultivate it. A government that enables him to do this, is the best : consequently that which

\* A small society of Christians in the State of Pennsylvania, abstracted from the world, among whom a community of goods is established.

deprives him of the power of improvement and happiness is unjust. He has no right to give up, in his politic capacity, those powers, without which he is crippled and retarded in the pursuits in which nature hath inseparably blended his happiness. The same law of nature that protects what he acquires by his industry in the state of rudeness, is the principle of those laws that secure to him in the state of luxurious society, those inequalities of property, that superfluity of wealth which he gains by the honest exercise of the same talents, and under the impulse of the same principles, embellished by cultivation, and invigorated by the improved habits of his nature.

Unaccountably there are men, who are impressed with the idea, that the softness of modern manners, and the politeness of the best and firmest principles display'd in modern conduct, are averse to that hardy temper necessary to the preservation of democratic freedom.

The idea is but too prevalent, that as luxury hath extended, liberty hath receded,  
and

and that as men add to the aggregate of political and civil restraints, the rights of human nature are abridged. This idea is founded on a misconception of the true principles of society.

Were we to attempt to fix the commencement of national corruption at a particular stage of individual refinement, we must first prove the national character throughout, to be the exact correspondent to the individual; but as this cannot be done, inasmuch as a nation is always unequally refined, and will, from the happy diversity of fortunes, ever so remain, it is in vain that we deduce a general effect from causes that never can be general. Much juster would be the reasoning which disdaining the definition of situations that for ever evade settled acceptations, should go to prove the insufficiency of those barriers which stand on the eternal foundations of nature; which are continually reverted to in the formation and continuation of happily accommodated institutions.

If after such a disquisition it be proved, that luxury and true liberty are incompatible



tible in a democratic form, the supporters of what till then I shall call so romantic a fiction, might justly triumph. The truth is, liberty and the completest complication of laws, and the fullest dispersion of luxury through every vein of the body politic, are in all degrees and respects compatible with each other.

There was in America, when she effected her independence, all that luxury which is diversify'd by disparity of fortune, and every elegance of a dubious refinement. If virtue be peculiar to simplicity, she had relinquish'd it in that opulence of her citizens, which has been chimerically held up as the spot where national vigour begins to mortify. But it was in that stage of her moral character, on which refining speculists have affixed the languor of corruption, that she boldly dared on scenes of danger and heroic achievement that would do honour to the most martial age. Nor was the point on which her revolution commenced, that sort of immediate evil, which by torturing the heart, prevents the reasoning of the understanding. No Virginia was immolated at the shrine of chastity, to guard the sex's honor from the brutality of a tyrant. The

progress of usurpation was slow, and gave to principle all its glory. It was not of that pressing nature, that denying men the privileges of acting from conviction, drives them to that sad alternative, in which nature, at the head of the passions, performs the duties of necessity by her own instincts.

In other revolutions, the sword has been drawn by the arm of offended freedom, under an oppression that threatened the vital powers of society. But the American revolution took place as a necessary result of long established opinions. The occasion advanced with the progress of usurpation; not sudden, not blown into existence by the breath of incendiaries; flowing from the source of system, and supported by the energies of well weighed choice, it was moderate, resolute, and irresistible. Hence is to be proved, the force of that sense of civil liberty, which requires not the temper of enthusiasm. It is this union of refinement with the active state of civil liberty, that will distract the false theories to which unhappy fortunes have subjected the human character. It is this fact that will justify the ways of heaven, by proving the consistency

ency of the social nature with the political happiness of men. And from the study of the American democracies, sophistry will be disarmed of the argument against pure liberty, in the natural endowments of man, which a state of luxury displays.

Montesquieu, great as he was, and venerable as he will ever be, was too fond of hypothesis. He thought with solidity, and expressed himself by figures that "lead, to be-  
"wilder, and dazzle, to blind." He was too mechanical, too geometrical. His ideas and inductions of influence from soil and climate, shew that ingenuity of a great mind, which fritters away its powers in conceit. Whimfically, he would reduce the political happiness of mankind, to a dependence on the planetary system, and make a cabbage or a cauliflower the source of his analogy.



## III.

## ARISTOCRACY.

AMONG the chimeras of the timid is the spectre of Aristocracy. Auguring from the past, some have vainly imagined that the Democracies of America must resolve into Aristocracies. It is an objection of some consequence; and the history of Democratic governments shelters the apprehension: but the philosophy of human society rejects it with confidence. Since, however, there is but too apt to be a secret sort of magic in fear, that effects the completion of its own prophecies, it is an objection remains to be opposed; and it will therefore be necessary to show some few grounds of aristocratic ascendancy in other countries,

and

and then prove that such grounds exist not in the United States.

To adhere to verbal derivation is too narrow a mode of reasoning to obtain in a liberal political discussion. Aristocracy is the government of a state by certain families invested with hereditary rights of governing. No right of governing by the representation of constituents of equal rights, can be called an aristocratic right. Aristocracy proves an inequality of rights. Delegated power does not prove, as in the American Democracies, an inequality of rights; for where the people appoint their own rulers, the rulers, though possessed of greater temporary delegated powers, possess no more rights exclusively, than those by whom they were chosen: since the very delegation shows an equality between the candidate and constituent; it shows choice, which implies a right of rejection. However vary'd the modifications of the powers of government may be, and however distant they may appear to be from the mass of the people, while the Democratic constitution brings back the powers of government, at stated periods, to its source

of sovereignty, the people, no aristocracy exists. But agreeably to the constitutions of the United States, the rights of election are frequently exercised; every organ of state sprouts anew from the political body of sovereignty; hereditary honours, hereditary rights of ruling, are excluded expressly; jealousy hath left nothing for implication to fashion; no real feature of aristocracy therefore is visible either in the constitutions or in the governments of the United States.

Foreigners have erroneously blended the idea of aristocracy with that division of the Legislative branches of some of the American Democracies, which is seen in the Senates. The Senate, for instance, in the Constitution of the State of Maryland, is chosen for five years, not immediately by the people, but by Electors of Senators. But observe, that this Senate is derived mediately from the people. It represents the people. It represents no particular order of men or of ranks. It is a weight in the powers of Legislative deliberation and argument, but not of property, of privileges, of orders, of honours, or at all descriptive of that solecism which presupposes



supposes a division of interests in a State, of rights, and of honours. It in fine hath nothing in its original idea, in its relative action, or in its object, correspondent, or analogous to, the House of Lords in England. In this American Senate prevails a Democratic simplicity. No reverence peculiar to themselves is paid them. The name, which is aristocratical, may indeed confound a parallel hunter; but the robes of Cyrus, with the magical power by which his virtues were imparted to the wearer, have long since perished. Men who are carry'd away by verbal explanations, discover in this branch an aristocratic shadow, the substance of which they in vain search for, in that mass of citizens from whom it is reflected. Among them an unequivocal and perfect equality of rights exists, in the midst of fortunes and gradations, infinitely diversified by all the inequalities of temper, possessions, talents and tastes, that mark a refined society.

There

\* It is due to the respectable opinion of the author of the learned and able *Defence of the Constitutions of the Governments of the United States*, to observe, that what-

There is not in a refined society that invitation to aristocratic ambition which marks the ruder age. The rights of mankind are better known, and the nerve of connection more sensible. Passion has less, and laws and moral habits more to do.

That aristocracy does not unfold with the luxuries attendant on wealth, is evinced in the present state of Europe. It springs from those accidental arrangements of the ranks of the society, which military discipline renders necessary. It rises in the rudeness of society, and sinks with its refinement. The protection of men is not sought but in the weakness of laws. In proportion as the mass of society, by the acquisition of wealth and knowledge, place themselves in a state of domestic independence, the influence of aristocracy is observed to decrease. In those instances where the aristocratical hath never may be unfolded by the contemplation of the past, or expected from the womb of future ages, to countenance the anxious conjectures of his patriotic mind, the addition of a negative to each of the branches, appears to be a measure of precaution at once sanctioned by experience, and supported by a wise and elaborate investigation of historical facts.

veiled

vailed over the democratical part of the government, as in the Roman Republic, the ascendancy hath been owing to the original constitution; or, as in the Venetian, obtruded on it by the hand of a temporary expedience.

Freedom seems anciently, as indeed in modern days of feudal slavery, to have meant the undisturbed enjoyment of certain peculiar privileges, inherent in the different orders of which society was composed, rather than that power of doing what good laws permit, framed by consent, agreeably to the known rights of mankind, and on the basis of equality.

The English Constitution hath been infinitely improved, in proportion as that aristocracy declined, which added a number of small tyrants to one of a larger growth. The history of Feuds and of the Barons will prove this. The causes that contributed to this declension were the circulation of wealth, and the necessary introduction of luxury and refinement. These will always create a fluctuation of opulence favourable to Democracies, and fatal to perpetuity of power. The



causes which made Liberty emerge in England after the decline of Aristocratical and Feudal oppressions, have more or less ever prevailed in America; and are more operative there as the fortunes of individuals are more equal, and the road to ambition not opened by an invidious establishment of different orders of Citizens. The emulation of equal Citizens can never lead to such distinctions, nor can any ascendancy be known but that of superior merit. The influence which this may attain, will endure no longer than the life of the Possessor; for where that truest Nobility is not a legal inheritance, it is not liable to assume any form, or possess any power, that can militate against the utility of its temporary existence. There cannot be, in the eyes of any critical observer, this danger in the American Democracies, for in them the education of the public mind will prove an impregnable barrier against Aristocracy. On every subject connected with the political character of the country, the ideas of men flow'd from those sources of nature, the study of whose rights was considerably facilitated by the contemplation of those scenes

scenes of native simplicity by which they were surrounded.

It is a fact in the History of Governments, that those institutions which have invited or confirmed the progress of Aristocracy, have always been formed by the ambitious in a rude and martial state of society, in which men were ignorant of their rights, and unacquainted with the designations of nature. These institutions, framed under the immediate views that engage the passions of the ruder tribe, were instruments adopted under the impressions of danger, rather than schemes of civility made the objects of rational choice. They were conceded rather by the improvidence of ignorance, than established on those enlarged views of utility and happiness for which nature prepared the social constitution. Such have been the commencement and formation of even governments themselves. One age differed from another in its objects; still government acted but as the agent, and vary'd in the shape of its instrumentality, with the ruling passions of the day,

Perhaps

Perhaps indeed a government created under a just conception of human rights, would not be relished by a rude society. The rights and characteristics, which develop with cultivation, are possibly to be enjoyed in that state only of social maturity from which a sense of them springs. These have been generally excluded by the immutability of those unhappy forms that were accommodated to different views, and which have survived the causes of their creation.

In America, society received its impressions favourably to a democratic form, and excluded all tendency to any other. Already had it passed that crisis of its progress, which hitherto hath opened a door in most other forms to the advances of Aristocracy. The colonial situation forbade any inordinate ambition in American Provincials. The humility of her Society, abstracted from the splendor and amusements of the old world, held forth few allurements to invite the residence of such, from the mother-country, as might possibly have aspired to the investments of hereditary honours. Protected from the hostilities of Ambition, her Citizens



zens gained a complete conception of what either the policy, or misfortunes of European governments have hidden from the eyes of their subjects. Those who will reflect on the causes that have encouraged the growth of Aristocracy in other countries, and led them on to the total subversion of freedom, and finally, to the throne of absolute monarchy, will perceive that this mischievous form cannot be obtruded on the American Governments. There, no oppressions exist, none of those occasions which military governments afford in days of rudeness, in which transcendent merit acquires permanence of authority; and where there is no impatience under evils that would receive relief from change, there will exist no probable cause of those revolutions in which Ambition hath forged chains for mankind,

The Revolution made no alteration in, but rather secured, those fundamental equalities, the destruction of which hath ever been the basis of Aristocracy and Oligarchy. In European governments there seems to have been a greater tendency to Monarchy than to Aristocracy. The États of France gradually

gradually merged into a mild, but pure Monarchy. The Cortez of Spain have sunk even into oblivion. In Sweden the pretensions of an Aristocratical Senate have been overruled by the prevailing spirit of Monarchy. The Nobility of England, restless, turbulent, and ambitious, have yielded a great portion of that importance which rendered them in a great degree independent of King and People, and are now distinguished by an influence proportioned more to utility and talents, than to splendor of birth. The division of society formed by a separation of professions, the individual independence arising from this, and the general dispersion of wealth that destroys the permanent inequalities of fortune, directly tend to the dissolution of that Aristocratic importance, which, however interwoven with public institutions and national character, hath ever given way to the equalizing force of civilization.

Aristocracy is a government in which there are orders of men possessed of unequal rights, formed on the accidental aspects of human affairs, in ages of barbarism, and under an ignorance of true civil liberty.

But

But there is in America a perfect equality of rights, an enlightened adoption of a free form of government, and the greatest improbability of that declension of the Social Character which retrogrades it to a state of original rudeness, and martial despotism. Therefore there neither is in the United States an Aristocracy, nor does there exist that ground for its ascendancy, which hath usually been its foundation in other countries.



## IV.

## EXTENT OF TERRITORY.

TO vindicate the American Democracies from all objection, the theory of Montesquieu, wherein a small territory is made an essential property of their forms, is to be combated. Montesquieu hath said, and theoretical men have follow'd him, that it is natural for a Democratic Republic to have only a small territory. What he would convey by the term *natural* is mysterious, and will never be explained into meaning. Without entering into etymological detail, a concise definition of the Government, termed Democracy, will considerably facilitate our comprehension of the subject.

Democracy is a Government wherein all the members of the Society are possessed of  
equal

equal rights, and govern either by themselves, or by their representatives, elected by themselves, and invested with just powers of government.

If in such a government there be an efficiency, a celerity, and an accommodation of the Laws, the extent of territory cannot form an objection. And as every objection to what should exist without any, ought to be removed, the above shall be opposed by a mode of reasoning founded in experience, and dictated without theory.

The principal objection to extensive territory, is the difficulty of assembling and consulting among the citizens. But since the regular division of the States into counties, each possessed of a supreme board or court, and these again divided into parishes; since voices and not wealth prevail in elections, the rights of which are guarded by good laws; and since these laws are exercised with as much exactness at a distance from the capital, in consequence of the superior regulations of the juridical system, and of the police; where exists an inconvenience  
with

with a greater, that does not exist in a smaller extent of territory ; for abuses cannot prevail without their remedies, since the constitution acknowledges no order of men superior or dangerous to the laws. These laws have been formed agreeably to right, and accommodated to useful purposes ; and the juridical system hath been digested by the wisdom of past ages, and wrought into perfection both of theory and execution. An advantage for which the American Democracies are indebted to the absence of those influences which in all other Democracies have either retarded the melioration of, or given a partial execution to, the operations of the Laws.

The futility of every objection may be demonstrated by some attention to the different aspects which Society and Government assume in America, from those which have given colour to this theoretical position.

It hath been common for a rude people to divide, at first perhaps to associate, in small tribes. One passion, the love of arms, pervades the infancy of all nations ; because their want of cultivation deprives them of  
the



the arts of peace; and because corporeal strength and the violence of the passions, as yet unrefined and undirected by the sentiments of a pure morality, precede those happy and ornamental endowments of a more advanced society.

That nations have been formed by a convocation of military tribes, will account for many appearances in the political world. Kings and Nobles have sprung from this origin. And all the laws which secure their privileges and prerogatives flow from this source. Of little consequence was it what was the declared form of their governments: men and not laws ruled where the passions taught the injured to seek redress in an appeal to the sword. But those forms subsisted, while the causes from which they arose gradually merged in the improvements of society. Thus ancient Democracies were small, because they were founded on the principles of self-defence, and were martial tribes. But their forms of public administration, originally calculated for very narrow and partial spheres of action, still continu'd to direct schemes of higher moment,

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and

and support views that required a different scale of civil and political powers. Hence resulted a confusion and public weakness. The society, at first actuated by one spirit, and governed by laws as simple as they were few, was by no means formed for operations which demanded that complete organization which would bring into regular co-operation, all those wheels of action that consist in the various resources of a more scientific finance, and in an able and permanent administration of government.

These forms might be adapted to a small territory and infant associations: but this temporary feature of society, when met by a train of operations that ought to have been expected, but which was not foreseen, because the true political destination of human nature was unknown, became deformed by all the evils attendant on a vicious constitution.

In the case with which a small Democracy might be defended, and the facility of assemblage, consisted the measure of its territory. Its resources and the genius of the people, like those

those of a military tribe, calculated them for the operation of a single campaign. When their ambition led them to foreign conquests, the inefficacy of their systems disconcerted all their views, and either brought disgrace on their arms, or opened a way for tyranny at home. They seem designed for single exertions, rather than for complicated movements. Where experience, as in the American Democracies, hath given confidence in measures, and where revolutions have strengthened the springs on which such measures operate, it is idle to doubt their future efficiency. Before this efficiency can cease, the principles of justice and native energy, on which they rest, must expire.



## V.

## BALANCE OF POWER.

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THE ambition of princes hath ever been fatal to mankind. In vain hath the voice of nature spoken a law to nations, and attempted to circumscribe the horrors of war, by the rights of justifiable prevention, or of equitable redress. The power of doing mischief with a glorious impunity, hath generally been the limit of destructive ambition; and it hath happened that men, ignorant of their rights, have lent themselves, with ruinous alacrity, to the invasion of the rights of others. The love of glory hath been the forge of chains by which the bold have shackled themselves; and the governments of Europe, placed towards each other since their emerging from Gothic barbarism, in a system of hostile jealousy, have

till very lately been mere engines of martial ambition, in a state of war, equipped for enterprize rather than the arts of peace, and excellent in their own eyes, in proportion to the unhappy facility with which they could execute and maintain the projects of their sovereigns. They originated unhappily; and the light of improvement served but to modify institutions which it ought to have subverted.

From whatever cause it may have arisen, it would seem as if in all countries, except America, certain political causes have so far preceded the sense of political rights, that revolutions and new governments have but diversify'd the evils of civil subordination. Seldom in any revolution that hath happened in Europe, hath been reserved that reversion of power and right on which alone just government can be erected. Wars have served indeed to display resources, and the virtues of gallant nations; they have sealed with the sacred blood of human nature the claims of princes, and of states; but what besides these points have they settled; and what can we call them but the splendid miseries of nations!

If that enlightened policy which regulates its maxims by an ardent love of human rights and universal freedom, be a theme of pleasure to the philosopher, and at the same time equally capable of advancing the purposes of a generous ambition, and of giving effect to the resources of the state, how injurious to the rights of nations must appear to him that system, which, in attempting a balance of power, seeks to oppress individual states under the respectable sanction of a pacification, at once erroneous, and impracticable.

Among the causes which contributed to retard the advances of this enlightened policy, the balance of Europe may be considered as one of the principal.

From the military genius of the sixteenth century this idea naturally arose. It had an alarming influence on the laws of nations. Its object was security. It implied a state of ambition, and engendered politics better suited to defence than repose; and inculcated, to the rulers of states, a science that consisted more in a knowledge of the resources of others, than in what would add  
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to, and improve, those over which they presided. It seems to have delighted more in destruction, than in the gratifications of that profit, or revenue, which result from those commercial ideas that form the spirit of modern cabinets. It cherished that soul of ambition, which already was but too predominant among potentates, whose claims being founded in violence and injustice, were to be supported by force, and the address of an insidious policy. It rendered that policy a law of nations which proceeded by the worst means to accomplish the worst ends. It taught nations that in weakening the foremost, the object of true policy would be obtained; and that in cutting off the resources of a rival, they added wealth and power to themselves. While it affected to smother the breath of universal monarchy, it in fact organized the system of universal slavery. In its effects, though not in its original object, or cause, it was a combination of those who possessed the power of doing ill, against that mass of society which in a rude state never possess their rights but to abuse them. It was a league of the strong

against the weak, in its influence over civil and religious freedom. In its relation to the great cause of human nature, it was a confederacy of passion against reason, of prejudice against philosophy, and of error against truth. Considering the objects of European wars, the cause of civil liberty was never once involved : a few small states, as of Holland, Switzerland, and, during the civil wars, England, excepted. The rights of sovereigns stood on the ruins of nature. Sovereigns alone, their pride, and passions, seem to have been the only personages and machinery of the drama. The cause of human rights was rarely an interlude ; and where it was, it was of a tragic nature. And treaties being the etiquette of princes, rather than the foundation of national advantage, were usually the most shameful bargains between disconcerted ambition and lawless force. In consequence of this jealous policy which survey'd every accession of advantage to one nation, as a diminution of profit to another, the hostility so natural to barbarians was rather kept alive than extinguished. The principle of alienage that fixes  
man,

man, as much in his prejudices against his species, as in his residence, was confirmed.

Nations have the right of judging on all those points of commerce and intercourse which decide on their safety and happiness; but this is a discretion to be used under the guidance of the laws of nature; and the primary object of society being the happiness of mankind, no motives which do not rest on a law of nature equally strong, ought to be suffered to operate against that system of useful commutation, which modern wisdom is actually diffusing.

In proportion as nations can be brought to stand towards each other, under relations similar to such as connect moral agents, the great objects of national felicity will be attained. Nothing tends more to this, than the habits of a liberal commerce. This the suspicion incident to so false a policy prevented, and opened the door of embassy, but to promote the office of a protected spy. It facilitated that communication between princes which was perpetually a source of insidious councils, where vast plans of slavery, very,



very, either of nations, or of religion, were agitated with secrecy.

The course which human affairs took, when the close of the Roman day involved all Europe in darkness, rendered this evil somewhat necessary; but like the guards of Pisistratus which his self-inflicted wounds had procured him, it tended with other causes to enslave while it protected. It assisted in subverting the rights of mankind, by confirming the despotism of princes. In constituting a judicature of nations, where force and not right decided, it led to a surrender of that right which every nation hath to the exercise of its own independent sovereignty. Kingdoms and states were bequeathed by the will of tyrants for purposes of supporting the balance of power.

Wars and a knowledge of their temporary resources, which were but other names for injustice and oppression, became the science of politicians. The rights of individual societies were neglected for the ambitious enterprizes of the sovereign; and reasons of state engaged those faculties and talents which had more ra-

tionally been employ'd in the cultivation of commerce, and in the arts of legislation.

From this system of foreign politics, the nations of Europe became entangled in inextricable relations. Those relations were not of amity. Had they been such as are formed by a juster knowledge of the principles of government, and those sources that add to the happiness of mankind, Europe would have been infinitely more enlightened and better cultivated than at present. They were such as might be expected; (but are ever to be lamented,) when we reflect on the religious oppositions which prevailed in different parts of Europe, and find the maxims of this fatal system but just yielding to the enlarged spirit of liberality. A liberality which hath made the arts of industry a common cause; science the favoured object of rival kingdoms; banished the rack and dispersed the daggers of fanaticism and persecution.

The prerogatives of crowned heads are indebted to this policy for their alarming growth. The spirit of secrecy with which its maxims were put into action, with which its enterprizes were executed, hath  
given

given a plausible pretence for the usurpation of undefined powers ; and it will be found that the executive of every government hath invariably acquired a vigour proportioned to the apparent necessities that colored the boldness of its demands. By giving the nation a great object of danger perpetually before their eyes, it hath gained an ascendancy over legislative policy, by which it hath shamefully been weakened ; and embarrassed, by contradictory interests, the progress of laws and the science of government, in the clamours of danger, and in the exigencies of preservation.

The train into which early maxims of policy threw the passions of Europe, hath impressed on their characters an inveteracy of feature, averse to alteration and favourable more to habit than reflection. Slowly will the truth advance when unaccompany'd by the passions ; these have already taken their direction, and resist innovation as if it were impiety.

Some great characteristics distinguish each nation in Europe. With few exceptions, however, bigotry, superstition, and despotism, mark their  
their



their descriptions. Some are termed natural enemies. Others, from theological errors, are exalted into tyrants, or humbled into slaves. No where could an altar be raised to the truths of politics and philosophy. The sublime obscurities of established creeds would exclude it on the one side; and on the other, the prescriptions of civil mystery, would render it an useless or a dangerous shrine. Even in this enlightened age, an inquisition brow beats the inquisitive eye of philosophy; and there are climates from which the will of a feudal baron, can exile into slavery the peasant who tills his ungrateful fief.

There was in Europe a contradiction of religious and civil principles that created a thousand solecisms. The rule to which the negotiations of nations were subject, was so flexible in its nature, as easily to yield to the sinister views of the artful and designing. Its dangerous casuistry lent an indulgence to the blackest causes, and with jesuitical accommodation twisted morality in the windings of ambition, and tortured every law of heaven into a rule of lustful power. Where an attachment to the liberties of mankind  
had

had not been made the principle of conduct between princes and their subjects, little else beyond this sort of policy could be expected in the intercourse of nations. Where an internal standard was wanting, no criterion could regulate external relation. The wide wasting errors of religion held forth their mysterious jargon, in which duplicity might double, and fraud piously defend its treachery.

The governments of America are removed to a distance from such a policy, as much by their local situation, as by their political relation to other nations. They will study the interests of others, because the subject matter of their treaties must be understood. The American feels little interests in the empty declamation of memorials, which contain the claims of princes ; or in those projects of preventive wisdom that are founded in a mutilation of the rights of the people. The cause of freedom will be his own ; for to a citizen of America nothing seems so natural as freedom, nothing so mean as slavery. His mind cultivated by history, and not cramped by mysteries, will eagerly  
lend

lend its powers to the investigation of the most foreign subjects ; and bound by none of the prejudices which the policy of established error hath elsewhere enforced, he will readily adopt or reject whatever may result from an unbiassed attention to the laws and usages of other nations.

In America the policy of the balance of Europe will not apply. Her views are different from its attractions. A consciousness of security will give her repose ; and her situation, her citizens, and denizenship of the world, will protect this repose from interruption. She is the last asylum for opinion, and the harrassed human character hath not another refuge from degrading policy. The world is sufficiently enlightened to know this. Like the martial states of Greece, which, says Polybius, protected the pacific and commercial city of Byzantium, as a common benefit, philosophers and statesmen would unite against a violation of the happiness of a people, whose lot is the more precious, as it was procured by the greatest experiment that human nature ever made of its own character.

In



In the United States the principles of foreign policy will be regulated by the rights of nations; and where the rights of society are not found to be incompatible with the established forms, the rights of nations will not prove a dangerous revelation, and may arrange with a more enlightened and useful policy. Self-defence will not hold out the sophistry of ambition. No pretext will assume the form of a reason of state, to commit injustice or depredation under the guise of expediency. Not "to humble the haughty," but "to protect the oppressed," will be the wise and amiable policy of states which have already proved their sense of glory, and have no interest to create another object for their exertions.

New colours suit the scenes of soften'd life,  
 No more, bestriding barbed steeds,  
 Adventurous valour idly bleeds :  
 And now the bard in alter'd tones,  
 A theme of worthier triumph owns ;  
 By social imagery beguil'd,  
 He moulds his harp to manners mild ;  
 Nor longer weaves the wreath of war alone,  
 Nor hails the hostile forms that grac'd the Gothic throne \*.

\* Warton's Ode.

When

When Frederic died the ensanguined blade of glory shivered into atoms. To the struggles of ambition and the toils of war succeeds the sway of peaceful councils, and promises to the emerging spirit of philosophical liberty a reign of wisdom and tranquillity.

*Per quas Latinum nomen et Italæ  
Crevere vires, famaue, et imperi  
Porrecta majestas ad ortum  
Solis ab Hesperio cubili.*

## VI.

## RELIGION\*.

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RELIGION in America presents a singular prospect. Its progress hath kept pace with morality, and is not the less sublime because it's history hath not been marked by those interesting scenes which have rendered Europe the theatre of error and bloodshed. It had ever been held in the light of moral persuasion. Force, restraint, and penalties, were monsters not found within her mild lights. The diversity and freedom

\* This Tract upon Religion being simply the result of rational investigation, and dictated by the purest principles of Christianity and of the *amor patriæ*, cannot be imputed to any motive less worthy, than universal religious freedom, nor in the eyes of the philosophical examiner, in the smallest degree, impeach the religious Faith of the writer of it.



of the Christian sects had poised every schism and party on that point of equality which precluded jealousy. This was an attainment that philosophy had only study'd, and had scarcely expected.

By the Revolution, religious doctrines received no shock. Superstition and bigotry had nothing to lament, and nothing to rouse at. These monsters were left unchained, and were therefore harmless. The clergy in America did not constitute a political body. They were not, as in England, and Rome, one of the states of the empire.

The relics of old superstitions, which serve as apologies for modern errors and fanaticism, were there unknown. There were no precedents of forefathers to mislead the imagination of posterity, and authorize them in a blind acquiescence under ideal sanctities. The novelty of all things precluded the prescription of error.

When Christianity was transplanted from Great Britain to the new world, it assumed a novelty, both consonant to its new re-

gion, and correspondent to its original simplicity. It dropped those claims of controul which were yielded by ignorance, to the ambition of artful pontiffs and proud ecclesiastics. Of all its superstitious rites it was entirely stripped; and in this state of native simplicity, its arrogant interposition in civil cases, and legislative concerns, was as little thought of as necessary. The government of the passions, and the mind, was its object. True moral persuasion, dignify'd by revelation, was its great characteristic. It had all the modesty and gracefulness of its Holy Virgin. The institutions which supported its public rites, were not endangered by that mixed cloud of ignorance and superstition, which hath every where else enveloped the plainest truths with mystical exhibitions. The luminous æra of the human mind that conceived such institutions, secured them from the corruptions to which similar designs had been exposed.

That under such enlightened ideas of society there should exist no alliance between the formalities, and tenets, of government,

vernment, and of religion, is not surprising. A change of situation had disembarrassed both from the trammels of opinion under which they had in Europe been most erroneously united and confused.

It was in this country, that the light of truth divided the duties which spring from relations to the divine and human natures, and separated the heterogeneous mixture of temporal and spiritual ideas. Perhaps through imitation, and the gradual operation of philosophical causes, the originalities and harmonious combinations of religion in the United States may infuse, in the mind of European nations, the true spirit of religious freedom. But even in the United States some alterations of moment on this point are demanded by the spirit of their constitutions.

It is not a little surprising, that when the ardor of reform is extending itself in America, from political revolutions to those of religion, it should act on so limited a scale, as to preclude all but Christians, from the blessings of an equal religious freedom to which all men are equally intitled.—



If not restrained by the novelty of power, nor blinded by the prejudices of Europe, how much honor and advantage would not her character acquire by the adoption of so enlightened a policy !

By the constitutions, all sects of Christians are intitled to equal freedom. This is wise ; and, when compared with what we see in most countries of Europe, it is highly liberal. There yet remains one step ; when this is gained, America will be the great philosophical theatre of the world. Christians are not the only people there. There are men, besides Christians, who while they discharge every social duty are shut from the rights of citizenship. If this continues it will have been in vain that the world hath offered the experience of her follies and her crimes, and that human nature hath been so long devoted to its own errors. If there be a man in the empire excluded from the fullest rights of citizenship, merely on account of his religion, the law which excludes him is founded in force, and is a violation of the laws of nature.

It

It is in vain that artful men argue from policy to the necessity of religious discriminations—of tests—capacities, and invidious qualifications. Policy is a poison that hath acted on the political constitutions of states, to the destruction of their principles, and finally, to the subversion of their liberty. It is often little more than the passion of the day sanctify'd by law and sophistry. But men are not now in that suspicious state of hostility which once may have lent some apology for injustice, and particular exclusions.

“ For modes of faith let graceless zealots fight,

“ His can't be wrong whose life is in the right.”

That government was made for man and not man made for government, is a truth that should stand foremost in all political ideas of religion.

In the adoption or creation of ecclesiastical institutions, general principles have in other countries either escaped observation, or have been intentionally obscured or rejected, as too immutable for the purposes of a policy, which temporized with change,

and made error subservient to the gratifications of ambition. Hence systems have been expedients, modes of faith the politic indulgence of prevailing weaknesses, or the instruments of slavery.

America will never sacrifice to imitation the new duties she owes the human species, and for the discharge of which heaven hath offered her situations singularly happy. It is to nature she stands pledged for an impartial trial and a fair stage. She will not narrow the foundation of her happiness by mutilating religious freedom. Her schemes will be as liberal as her fortunes have been glorious. Her situation is the first ever offered to mankind, wherein every right of nature explored by the eye of science may be indulged in a latitude unembarrassed by unsubstantial forms, and unshackled by civil or religious despotism. Opinion has not yet thrown obstacles in the path of investigation, nor obtruded on the minds of men a fashion of thinking unconnected with the philosophy of things. Prejudice against particular sects is unknown. It is in this moment when the principles of nature prevail, that America



rica ought to spread wide the bottom of her future character; and nothing will contribute more powerfully to this end, than that unison of all her citizens and fusion of their common rights, which equal religious freedom will create.

Unless the governments assume to themselves an inquisitorial authority, they cannot view the citizen in any other point of responsibility to them, than that which is formed by his civil relation. Until they prove an authority derived from the laws of nature, or delegated from heaven, they cannot claim a cognizance of religion. As well might they ordain laws of honor, of taste, of sentiment, and of ethics, as prescribe the emotions of a devout heart.

Government is a modification of the laws of nature. These are unacquainted with the distinctions of religious opinion; and of the terms Christian, Mahometan, Jew, or Gentile. The constitutions, if they pursue a just direction, will not violate common sense; nor cherish by force, those injuries done to nature, which the light of the present day  
is

is about to disperse. They will throw down every barrier erected by the despotism of impassioned ignorance, and admit every sect, whom they admit at all, to the rights of citizenship. The governments are obliged to legislate agreeably to the constitutions. The constitutions tolerate none but Christian sects; yet the policy of the governments teaches them to invite all the world, while their disingenuous fears, by shutting out from the most inestimable rights, half the human species, counteract their views and real interests. So little and so gloomy a policy will be despised; and as the struggles of America have endeared her to the world, her principles on all great points will manifest a mind universally illumined. She will prove by a freedom of universal religion, however vary'd in name or mode, that civil government is not supported by trick and mystery; and that civil happiness does not depend on undetected deceptions.

Religion hath not been so much interwoven, as inserted in her constitutions. It makes no part of her state policy; and if it can be proved to be a subject totally beyond  
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the reach of human cognizance, there will be no danger in removing every section which gives her governments the power of legislation over its rights. If after an alteration of this sort, governments still continue to consider themselves the guardians of religion, their guardianship will extend to an impartial protection of every sect on earth. If they exclude any sect, it must be because they possess the power delegated from such as had a right to part with such rights; or because they may have discovered a sect, or class of men created out of the cognizance of the laws of nature. But by these laws all men are equally bound. Government can be justify'd only in its acts in proportion as these are consistent with the laws and views of nature. It can legislate on those relations only which may be suspended and delegated by the whole, to a part of society. If there exist in the human character any relation, the rights of which cannot be delegated, government cannot be possessed of a right to legislate on those rights—It cannot point out a rule of conduct in a series of duties, which result from a relation over which it hath no cognizance. Should it be  
a proved



a proved thing, that men give up for civil purposes, a portion of the rights of nature, it will go to this only, that they yield that of which they have a right to divest themselves, for purposes of happiness; but will never found a power in government, over things which could not be yielded,

“ It is the duty of every man to worship  
 “ God in the manner which he may think  
 “ most acceptable to him \*.” Religion is the worship of God. It is a duty arising from the relation of man to his Creator, Whether the religion professed be natural, or revealed, the evidence which brings conviction is submitted to the judgment of each professor: if faith be the bottom on which particular creeds stand, still less is religion under human controul. Rewards and punishments are the objects of all religions: to render these consistent with the divine attributes, and operative in this world, it is a necessary principle, that each individual

\* (Constitution of the State of Maryland.) Here are general premises—In a subsequent sentence is this particular conclusion, that “ therefore all Christians shall be  
 “ entitled to worship God, &c.”

be try'd by his own merits. The evidence of every religion must be received in a manner peculiar to the judgment of every agent, in a degree of conviction proportioned to its force, and to that peculiarity of temper, habit, and education, which hath so wonderfully vary'd the moral face of things.

Religion is a matter of opinion and of sentiment. It is not a uniform conclusion drawn from a common sense of divine relation; if it were, there would be but one opinion on the subject; and government, could it gain a right, might have in it a more palpable instrument of policy, give less indulgence to its errors; and by defining with accuracy the duties which arise from the relation of man to God, might, with less hazard, ingraft it on the general plan of policy and legislation. But this is not the case, as religion is the duty arising from the relation of man to God, and not from the relation of man to man, the mode of discharging this duty cannot be submitted to delegation. This mode forms a part of the duty, and is that secret communication with the Divinity, which cannot be supported but by the mind  
which

which feels it. This duty is enjoined by the law of nature. The law of nature was anterior to civil regulations.

Whatever rights could not be the object of civil cognizance, still remain under the cognizance of the law of nature. It is clear, that whatever rights had a reference to the relation between man and man, might for the good of the whole, be delegated by the whole to a part of society.

It is equally clear, that whatever rights were at once rights of the individual, and duties to his Creator, could not be delegated by the whole to a part. Such a delegation would have subverted that responsibility which supports the scheme of rewards and punishments. If the right of deciding on the duty to God could be delegated, the constituent would discharge himself from his responsibility. No man then can divest himself of the means whereby he forms that conviction, in the exercise of his free agency; from whence he deduces those duties, in the undelegated discharge of which, he rests his hopes of salvation.

The



The rights which result from social and human relations may be delegated. The rights which flow from the relation of man to his Creator, can no more be delegated, than the discharge of religious obligations can be made by substitutes.

Civil government can be but the concentration of many wills. Its powers must be correspondent to the rights associated.—This combination includes nothing which was not delegated. No rights can be delegated which the social being could not surrender in trust. But the rights resulting from the relation of man to his Creator, cannot be surrendered to man; and therefore the rights of religion are unalienable.

Government which legislates with a view to rights with which it is invested by delegation, can have no cognizance over the rights of religion which are unalienable. As long as religion is held by its professors to be a secret communication with heaven; and submitted to as the monitor of moral conduct, government can have no just power of prevention, or patronage on the subject.

When

When it forsakes its peculiar relation, and mingles with the relations to which it bears no analogy; when it assumes powers derogatory to the rights resulting from other relations, government, as the guardian of its own peculiar rights, will interfere, and secure to all an equal enjoyment of both civil and religious freedom.

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